



In the United States Patent and Trademark Office

Applicants: U. Nehse et al

Attorney Docket: 02042

Patent Application  
Serial No: 10/687,914

Filed: October 20, 2003

For: Method of Optimizing Target  
Quantities for Optical Precision  
Measurement and Apparatus therefor

Transmittal of Declaration for Filing under 37 CFR 1.53(d)

Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attention: **Box Missing Parts**

Dear Sir:

To avoid abandonment under 37 CFR 1.53(d) the applicants herewith submit their declaration in the above-identified application duly signed. A check in the amount of \$130.00 to cover the surcharge as set forth in 37 CFR 1.16(e) is also enclosed in order to prevent abandonment of the application.

The Commissioner is herewith authorized to charge any deficiency in the fee to deposit account no. 15-0773.

Respectfully submitted,

Walter Ottesen  
Reg. No. 25,544

12/04/2003 MBELETE1 00000004 10687914

01 FC:1051

130.00 DP

Walter Ottesen  
Patent Attorney  
P.O. Box 4026  
Gaithersburg, Maryland 20885-4026

Phone: (301) 869-8950

Date: November 24, 2003

DEC 01 2003

In the United States Patent and Trademark Office

TRADEMARK OFFICE

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Statement by Attorney that Papers Attached to  
Declaration are a Copy of those Filed in the Patent  
and Trademark Office to Get a Filing Date

Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I, Walter Ottesen, state that I am the attorney for this application and that I have reviewed and found the specification (pages 1 to 41) and four sheets of drawing (FIGS. 1 to 6) as shown in my files to be the papers attached to the declaration of Uwe Nehse, Gerhard Linss and Olaf Kühn for Method of Optimizing Target Quantities for Optical Precision Measurement and Apparatus therefor which accompanies this statement and I declare that these papers attached to the declaration are a true copy of the specification and any amendment thereto which I filed in the Patent and Trademark Office in order to obtain a filing date for this application on October 20, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were

made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Walter Ottesen", with a stylized, cursive script.

Walter Ottesen  
Reg. No. 25,544

Walter Ottesen  
Patent Attorney  
P.O. Box 4026  
Gaithersburg, Maryland 20885-4026

Phone: (301) 869-8950

Date: November 24, 2003

Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Method of Optimizing Target Quantities for Optical Precision Measurement and Apparatus therefor, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any Amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>		<u>Priority Claimed</u>	
<u>101 19 026.3</u> (Number)	<u>Federal Republic of Germany</u> (Country)	<u>18 Apr 01</u> Date Filed	<u>X</u> Yes <u>      </u> No
<u>101 40 640.1</u> (Number)	<u>Federal Republic of Germany</u> (Country)	<u>18 Aug 01</u> Date Filed	<u>X</u> Yes <u>      </u> No

I hereby claim the benefit under Title 35, United States Code, § 120 of the United States application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national filing date of this application:

<u>PCT/EP 02/03921</u>	<u>09 Apr 2002</u>	<u>Pending</u>
Application Serial No.	Filing Date	Status

As a named inventor, I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Walter Ottesen  
Reg. No. 25,544

Direct all telephone calls to Walter Ottesen at telephone no. (301) 869-8950 and address all correspondence to:

Walter Ottesen  
Patent Attorney  
P.O. Box 4026  
Gaithersburg, Maryland 20885-4026

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Full name of sole or first inventor Uwe Nehse

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 98716 Geraberg, Federal Republic of Germany

Country of Citizenship Federal Republic of Germany

Post Office Address Geraer Strasse 2, 98716 Geraberg

Federal Republic of Germany

Full name of second joint inventor Gerhard Linss

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 98529 Suhl, Federal Republic of Germany

Country of Citizenship Federal Republic of Germany

Post Office Address Mutental 3, 98529 Suhl

Federal Republic of Germany

Full name of third joint inventor Olaf Kühn

Inventor's signature Olaf Kühn Date Nov. 11, 2003

Residence 98528 Suhl, Federal Republic of Germany

Country of Citizenship Federal Republic of Germany

Post Office Address Breites Feld 21c, 98528 Suhl

Federal Republic of Germany

DEC 01 2003

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Reg. No. 25,544

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Patent Attorney  
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Full name of sole or first inventor Uwe Nehse

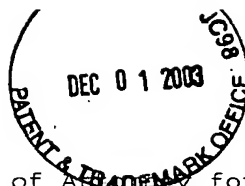
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 98716 Geraberg, Federal Republic of Germany  
Country of Citizenship Federal Republic of Germany  
Post Office Address Geraer Strasse 2, 98716 Geraberg  
Federal Republic of Germany

Full name of second joint inventor Gerhard Linss

Inventor's signature Gerhard Linss Date Nov. 12, 2003  
Residence 98529 Suhl, Federal Republic of Germany  
Country of Citizenship Federal Republic of Germany  
Post Office Address Mutental 3, 98529 Suhl  
Federal Republic of Germany

Full name of third joint inventor Olaf Kühn

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 98528 Suhl, Federal Republic of Germany  
Country of Citizenship Federal Republic of Germany  
Post Office Address Breites Feld 21c, 98528 Suhl  
Federal Republic of Germany

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Full name of sole or first inventor Uwe Nehse  
Inventor's signature *Uwe Nehse* Date Nov. 7, 2003  
Residence 98716 Geraberg, Federal Republic of Germany  
Country of Citizenship Federal Republic of Germany  
Post Office Address Geraer Strasse 2, 98716 Geraberg  
Federal Republic of Germany

Full name of second joint inventor Gerhard Linss

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 98529 Suhl, Federal Republic of Germany  
Country of Citizenship Federal Republic of Germany  
Post Office Address Mutental 3, 98529 Suhl  
Federal Republic of Germany

Full name of third joint inventor Olaf Kühn

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 98528 Suhl, Federal Republic of Germany  
Country of Citizenship Federal Republic of Germany  
Post Office Address Breites Feld 21c, 98528 Suhl  
Federal Republic of Germany